

IV. LEGISLATION, POLICIES, RULES

C.1. Rules – Digital Repository

Idaho Code 33-2505, the Digital Repository for State Publications, states that “the commission for libraries shall promulgate such rules as are necessary and appropriate to accomplish the purpose of a digital repository for state publications.” The Commission’s Deputy Attorney General has recommended starting the temporary and proposed rule-making processes simultaneously.

Suggested motion: I move that the Board of Library Commissioners initiate the process to create a Temporary Rule to be effective July 1, 2008, and to begin the Proposed Rule making process for the implementation of 33-2505 I.C., outlining the exemption process for the digital repository.

Roll call vote: Rognas____, Black____, Staub____, Weeks____, Noble____

**IDAPA 30
TITLE 01
CHAPTER 01**

IDAHO COMMISSION FOR LIBRARIES

**30.01.01 - Rules of the Idaho Commission for Libraries Governing
the Use of Commission Services**

031. – ~~999~~039. (RESERVED).

040. DIGITAL REPOSITORY OF STATE PUBLICATIONS.

All state publications intended for distribution to the public must be deposited with the Commission according to Section 33-2505, Idaho Code. (7-1-08)T

01. Exemption Authority. The Board may grant exemptions from Section 33-2505, Idaho Code, in the interest of economy and efficiency. (7-1-08)T

02. Bases for Exemption. Exemptions include, but are not limited to: (7-1-08)T

- a. Any publication specifically exempted by statute; or (7-1-08)T
- b. Any publication or class of publications exempted by the Board. (7-1-08)T

03. Exemption Requests. State agencies may petition for the exemption of a specific publication or a class of publications using approved forms provided by the Commission. The request shall: (7-1-08)T

- a. Name the requesting state agency and a designated contact; (7-1-08)T
- b. Clearly identify the publication or class of publications; and (7-1-08)T
- c. Explain the rationale for exemption. (7-1-08)T

04. Request for Exemption by State Librarian. The State Librarian may request the exemption of a specific publication or a class of publications based on the ability of the Commission to capture or process said materials. The request shall: (7-1-08)T

- a. Name the publishing state agency; (7-1-08)T
- b. Clearly identify the publication or class of publications; and (7-1-08)T
- c. Explain the rationale for exemption. (7-1-08)T

05. Filing Exemption Requests. Exemption requests shall be filed with the Commission not less than sixty (60) days prior to a regularly scheduled Board meeting. (7-1-08)T

06. Board Action on Exemption Requests. The Board shall grant or deny exemption requests, determine an expiration date, and provide written notification of its decision to the publishing state agency within thirty (30) days of its decision. (7-1-08)T

07. Annual Report. The State Librarian shall submit an annual report of all exemptions to the Board. (7-1-08)T

08. Review of Exemptions. Exemptions shall be reviewed by the Board at least sixty (60) days prior to the expiration date. State agencies shall be notified by the Commission of any change in exemption status within thirty (30) days of Board action. (7-1-08)T

041. – 999. (RESERVED).